



Prevent identity theft—protect your Social Security number

Your Social Security Statement

Prepared especially for Kenneth C. Shaffer www.socialsecurity.gov

(9)

June 1, 2010

See inside for your personal information →

000362678 01AT 0357 FFF 0474



KENNETH C. SHAFFER
5315 GARLEDA DR
EL DORADO HLS CA 95762-5534

What's inside...

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What Social Security Means To You

This *Social Security Statement* can help you plan for your financial future. It provides estimates of your Social Security benefits under current law and updates your latest reported earnings.

Please read this *Statement* carefully. If you see a mistake, please let us know. That's important because your benefits will be based on our record of your lifetime earnings. We recommend you keep a copy of your *Statement* with your financial records.

Social Security is for people of all ages...

We're more than a retirement program. Social Security also can provide benefits if you become disabled and help support your family after you die.

Work to build a secure future...

Social Security is the largest source of income for most elderly Americans today, but Social Security was never intended to be your only source of income when you retire. You also will need other savings, investments, pensions or retirement accounts to make sure you have enough money to live comfortably when you retire.

Saving and investing wisely are important not only for you and your family, but for the entire country. If you want to learn more about how and why to save, you should visit www.mymoney.gov, a federal government website dedicated to teaching all Americans the basics of financial management.

About Social Security's future...

Social Security is a compact between generations. Since 1935, America has kept the promise of security for its workers and their families. Now,

however, the Social Security system is facing serious financial problems, and action is needed soon to make sure the system will be sound when today's younger workers are ready for retirement.

In 2016 we will begin paying more in benefits than we collect in taxes. Without changes, by 2037 the Social Security Trust Fund will be exhausted* and there will be enough money to pay only about 76 cents for each dollar of scheduled benefits. We need to resolve these issues soon to make sure Social Security continues to provide a foundation of protection for future generations.

Social Security on the Net...

Visit www.socialsecurity.gov on the Internet to learn more about Social Security. You can read publications, including *When To Start Receiving Retirement Benefits*; use our Retirement Estimator to obtain immediate and personalized estimates of future benefits; and when you're ready to apply for benefits, use our improved online application—It's so easy!

Michael J. Astrue
Commissioner

* These estimates are based on the intermediate assumptions from the Social Security Trustees' Annual Report to the Congress.

Your Earnings Record

(7)

Years You Worked	Your Taxed Social Security Earnings	Your Taxed Medicare Earnings	Years You Worked	Your Taxed Social Security Earnings	Your Taxed Medicare Earnings
1971	\$ 363	\$ 363	1990	\$ 22,704	\$ 22,704
1972	1,142	1,142	1991	24,395	24,395
1973	916	916	1992	42,028	42,028
1974	2,728	2,728	1993	57,600	107,633
1975	1,293	1,293	1994	60,600	93,346
1976	651	651	1995	61,200	84,176
1977	0	0	1996	62,700	104,196
1978	4,752	4,752	1997	65,400	97,328
1979	6,880	6,880	1998	68,400	159,551
1980	16,639	16,639	1999	72,600	222,252
1981	25,735	25,735	2000	76,200	133,156
1982	31,342	31,342	2001	80,400	101,834
1983	35,700	35,700	2002	84,900	91,145
1984	22,546	22,546	2003	87,000	98,254

that determine your benefit amount. When we figure that amount, we base it on your average earnings over your lifetime. If our records are wrong, you may not

pay Social Security taxes each year. The limit increases yearly. Earnings above the limit will not appear on your earnings chart as Social Security earnings. (For Medicare taxes, the maximum earnings amount began rising in 1991)

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We're more than a retirement program. Social Security also can provide benefits if you become disabled and help support your family after you die.

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Saving and investing wisely are important not only for you and your family, but for the entire country. If you want to learn more about how and why to save, you should visit www.mymoney.gov, a federal government website dedicated to teaching all Americans the basics of financial management.

About Social Security's future...

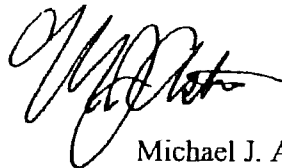
Social Security is a compact between generations. Since 1935, America has kept the promise of security for its workers and their families. Now,

however, the Social Security system is facing serious financial problems, and action is needed soon to make sure the system will be sound when today's younger workers are ready for retirement.

In 2016 we will begin paying more in benefits than we collect in taxes. Without changes, by 2037 the Social Security Trust Fund will be exhausted* and there will be enough money to pay only about 76 cents for each dollar of scheduled benefits. We need to resolve these issues soon to make sure Social Security continues to provide a foundation of protection for future generations.

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Michael J. Astrue
Commissioner

* These estimates are based on the intermediate assumptions from the Social Security Trustees' Annual Report to the Congress.

Your Earnings Record

Some

About Social Security

Survivors the Center for input drugs and age 65 and receiving or more. you may Your Social Security both private visit www. 1-877-41

Retiree

the full people to

Some can retire

If you are higher than

for delay

Disability

age, you if you are

— either you the

— a full private

or If you are

you are veteran

Familial benefit

or additional benefit

your benefit

Survivor of you

— you 0 2

Years You Worked	Your Taxed Social Security Earnings	Your Taxed Medicare Earnings
1971	\$ 363	\$ 363
1972	1,142	1,142
1973	916	916
1974	2,728	2,728
1975	1,293	1,293
1976	651	651
1977	0	0
1978	4,752	4,752
1979	6,880	6,880
1980	16,639	16,639
1981	25,735	25,735
1982	31,342	31,342
1983	35,700	35,700
1984	22,546	22,546
1985	39,600	39,600
1986	42,000	42,000
1987	43,800	43,800
1988	45,000	45,000
1989	38,010	38,010

Total Social Security and Medicare taxes paid over your work

Estimated taxes paid for Social Security: You paid: \$102,398

Your employers paid: \$111,286

Note: You currently pay 6.2 percent of your salary, up to \$106

on your entire salary. Your employer also pays 6.2 percent in

If you are self-employed, you pay the combined employee and employer

percent in Medicare taxes on your net earnings.

Help Us Keep Your Earnings Record

You, your employer and Social Security share responsibility for the accuracy of your earnings record. Since you began working, we recorded your reported earnings under your name and Social Security number. We updated your record each time your employer (or



Registration and Employment History

Previously Registered with the Following FINRA Firms

FINRA records show this broker previously held FINRA registrations with the following firms:

Registration Dates	Firm Name	CRD#	Branch Location
06/2006 - 10/2009	WELLS FARGO INVESTMENTS, LLC	10582	SACRAMENTO, CA
03/2003 - 06/2006	H&R BLOCK FINANCIAL ADVISORS, INC.	5979	ROSEVILLE, CA
09/1999 - 03/2003	MORGAN STANLEY DW/INC.	7556	PURCHASE, NY
07/1999 - 10/1999	BANC OF AMERICA INVESTMENT SERVICES, INC.	16361	BOSTON, MA
01/1993 - 07/1999	BA INVESTMENT SERVICES, INC.	12865	OAKLAND, CA
07/1991 - 02/1993	OLDE DISCOUNT CORPORATION	5979	DETROIT, MI
10/1990 - 07/1991	ASSOCIATED PLANNERS SECURITIES CORPORATION	12869	BOSTON, MA
04/1983 - 10/1990	PRUDENTIAL-BACHE SECURITIES INC.	7471	NEW YORK, NY
09/1981 - 11/1982	PAINE, WEBBER, JACKSON & CURTIS INC.	8174	
09/1979 - 09/1981	DREXEL BURNHAM LAMBERT INCORPORATED	7323	

Employment History

This section provides up to 10 years of an individual broker's employment history as reported by the individual broker on the most recently filed Form U4.

Please note that the broker is required to provide this information only while registered with a FINRA firm and the information is not updated via Form U4 after the broker ceases to be registered. Therefore, an employment end date of "Present" may not reflect the broker's current employment status.

Employment Dates	Employer Name	Employer Location
06/2006 - Present	WELLS FARGO BANK	FOLSOM, CA
06/2006 - Present	WELLS FARGO INVESTMENTS, LLC	FOLSOM, CA
03/2003 - 06/2006	H&R BLOCK FINANCIAL ADVISORS, INC.	CITRUS HEIGHTS, CA
07/1999 - 03/2003	MORGAN STANLEY DEAN WITTER	FOLSOM, CA

(16)

From: Origin ID CHIA (312) 422-7200
 Jeanne Bender
 Kane
 208 South LaSalle Street
 Suite 1800
 Chicago, IL 60604



Ship Date: 22DEC10
 ActWgt: 0.5 LB
 CAD: 4365709/NET3090

Delivery Address Bar Code



Ref # 52482008
 Invoice #
 PO #
 Dept #

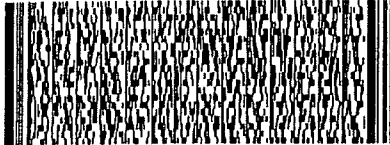
SHIP TO: (312) 422-7200

BILL SENDER

Ken Shaffer

5315 GARLEND A DR

EL DORADO HILLS, CA 95762



TRKH
 0201 7965 9015 7959

THU - 23 DEC A2

STANDARD OVERNIGHT

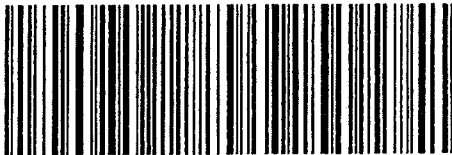
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MACTH00000000

After printing this label:

1. Use the "Print" button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional interest charges. Verify the accuracy of your FedEx account number.

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LATE DELIVERY OF DISCLOSURE
 DOCUMENTS & WITNESS LIST

(11) 2007

A. Key Business Objectives and Targets
Feedback and Coaching

1. Objective and Targets: Production Standards, New Business Development	Weight 50 %
<ul style="list-style-type: none"> Develops new client relationships and/or generates new business from existing clients by working with other WMG and bank partners. Develops new business opportunities by presenting investment advice and financial product alternatives to clients. Grow production by a minimum of 10% annually. 	
<i>Feedback: Ongoing/year end and date(s) completed:</i>	Year End Rating 2
<ol style="list-style-type: none"> 1. <u>Total production was \$217,000 vs annual goal of \$250,000. Achieved 85% of goal</u> 2. <u>64% increase in relationship based assets</u> 	
2. Objective and Targets: Compliance, Trade Errors	Weight 25 %
<ul style="list-style-type: none"> Maintain a satisfactory complaint rating of less than three sales practice complaints annually. Assure new account documentation properly reflects clients' trade activity and investment sophistication. Maintain zero trade errors. Remain in compliance with appropriate NYSE and NASD regulations as well as WFI policies and procedures outlined in the WFI Policies and Procedures Manual. 	
<i>Feedback: Ongoing/year end and date(s) completed:</i>	Year End Rating 3
<ol style="list-style-type: none"> 1. <u>No issues</u> 	
3. Objective and Targets: Client Service and Relationship Management	Weight 15 %
<ul style="list-style-type: none"> Establishes and maintains an enhanced working relationship with existing clients. Establishes and maintains professional working relationship with Community Banking partners (Market Area Managers, Store Managers, etc). Establishes and maintains professional working relationship with WMG partners (Private Banking, Investment Management, Trust, and Licensed Bankers). 	

W000115

(12)

Mail Search

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Scottrade
ET INVESTED

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Check Mail | New

Get Your FREE FICO Score Now

Previous | Next | Back to Search Results

Mark as Unread | Print

Delete | Reply | Forward | Spam | Move...

Wow!!!! and the son.....

From: "Kenneth Shaffer" <shaffer0204@sbcglobal.net>
To: "James U'Ren" <urenurout@hotmail.com>

Saturday, August 21, 2010 8:59 AM

wouldn't still be complaining if Mary was half way competent at her job!

— On Sat, 8/21/10, James U'Ren <urenurout@hotmail.com> wrote:

From: James U'Ren <urenurout@hotmail.com>
Subject: RE: You can call yourself the Oracle of Roseville.....
To: shaffer0204@sbcglobal.net
Date: Saturday, August 21, 2010, 8:11 AM

K-Shay,

I used the "oracle" line on Chris in my 2nd interview, referring to myself as "the other oracle from Omaha," but he was too busy trying to impress me with "One-sale-a-week equals a \$5000 monthly check" to get more than a polite smile.

I don't think we get the 2010 trip to Omaha anyway - it's coming up next month, and I'm still not sure of our status by then. Trainee? Internet wannabe? One of a cavalcade of candidates? I think they're trying to "hire" one or two more Investment/Insurance Dudes from the people Myron culled out of that JobFair. He said he found at least one guy who's "registered, licensed and ready to go" (someone who a tainted U-5!) and someone or two who could dilute our MOO investment pioneer gig. Lou even commented that our "training" might involve four rather than just us interns... Trainees... Students, whatever we are.

Here's a bombshell I heard yesterday from Mary Mortensen: our beloved Jan is no longer with WF. She'd been on "extended personal leave" for about 6 weeks, and then (I think) she quit to take a downward move to Tri-County Bank. As an aside, Mary said "you don't want to piss me off," so maybe Jan did something wrong. I said "I thought you two were buddies?" but she said "not when you piss me off..." so they must have had a problem (don't want to imagine that girl fight!).

Anyway, Mary is now "handling Jan's duties," as well as her usual policing of F.A. activities (along with the lovely Deputy Cindy) until a new helichei woman can be found. They also recruited the Bank of the West Financial Advisor from their (get this) Paradise-Oroville-Gridley-Clear Lake territory, to take over the WF "gold mine" in Yuba City. Todd now has the Country Club behemoth, so he should be happier - he actually had two sub-\$20,000 months in the Y.C. gold fields! (not so easy speaking Punjab one minute and Arky Redneck the next, is it?)

Funny thing is that the Bank of the West manager told me during my first interview (when I asked him if they had a branch in YC) that this shiny recruit was "marginal, at best, and struggling" with B.O.T.W.

I was begging Mary to work on clearing my record, but to no avail. I had found some notes from conversations with the client whose son is (still) complaining that I took advantage of his Mommy. Mary went into a long song-and-dance about Al Chen and all the trouble WF had gotten into over not supervising his repeated discretion (buying reverse convertibles for clients and new accounts, without explaining what could happen), so they had to come down hard on me when there was a whiff of a complaint...

I'm sick of going over this crap. It blows me away that other Banks and Brokerage Firms - even Warren Buffett - have such high regard for Wells Fargo! I'm attaching my newfound notes of client conversations (which don't exonerate me, but might raise reasonable doubt - did I watch too many Perry Masons, or what? - in my case), along with a letter to the FINRA "Investigator" who inquired about my termination, to see if he can lighten my sentence.

When I asked Mary why I wasn't just given the opportunity to resign, that's when she launched into her "we had to uncover how widespread the complaint(s) problem was," and even told me that they've recently received a couple of client complaints about Doug Emmitt, and he left for Morgan Stanley (a sweet deal) eighteen months ago!

Ugh!

JU

Date: Thu, 19 Aug 2010 15:34:46 -0700
From: shaffer0204@sbcglobal.net
Subject: You can call yourself the Oracle of Roseville.....
To: urenurout@hotmail.com

When you are back in Nebraska on the incentive trip, I went down the path with a guy from Allstate, everybody loved me, you pay for a trip back to training camp, get 7K when you get back and spend a couple of days in the local office, then the home office said no, because of the termination comments on my u-5. I have never heard back from the people that liked me so much. There's a salary at State Farm???

— On Thu, 8/19/10, James U'Ren <urenurout@hotmail.com> wrote:

From: James U'Ren <urenurout@hotmail.com>
Subject: RE: Interview with Cornerstone
To: shaffer0204@sbcglobal.net
Date: Thursday, August 19, 2010, 7:38 AM

I wish we could get jobs as wholesalers, and buy other people margaritas. I'm doing an assessment test with State Farm today - I'm a good neighbor - so I can move along in their process. But they're mostly insurance - lots of home & auto - with some mutual funds and annuities sprinkled in with IRAs and (dreaded) 529s. Its a great company anyway, like MOO, and they support their new agents with a decent salary and benefits, if you make their cut.

Chat & Mobile Text (none)

I am Available

0 Online Contacts (Add)

No contacts online right now.
Start a New Chat

0 Mobile Contacts (Add)

You don't have any Mobile Text contacts yet.
Start a Text Message

My Folders (Add - Edit)

discovery




Witness List

1. Clay Evans (916) 774-3709 Stiefel Nicolaus- Ex Wells Fargo FA, also promised accounts by Mr. Scambray, reffers to Mr. Scambray as a "chronic Liar"
2. Giancarlo Foti (916) 566-0975 x101 Waddell and Reed
3. James U'ren (916) 847-8736 Terminated by Wells fargo
4. Doug Borg (916) 677-7959 Allstate
5. Geoff Howard (916) 789-2135 Resigned from Wells Fargo, considers the Wells Fargo experience "terrible, one of the worst experiences of my life" suggested Wells motto should be "Welcome to Wells fargo, leave your self respect at the door"
6. Lou Hudson, (866) 789-0735 E-Trade
7. Chuck Oliver (916) 784-7900 Wedbush Morgan Securities
8. Ben Goldhammer (916) 567-5447 Chase Investment Services
9. Heather Jardine (800) 387-2331 E-Trade
10. Edward Smellich Metroplolian Insurance - read me the Metroplotan Insurance policy of not hiring anyone fired for cause after positive interview.
11. Jason Bell (800) 935-5746- CFA on weekly conference calls touting Reverse Convertibles
12. Linda Thompson (800) 935-5746- John Scambray's assistant, probably aware of many other employees who complained of false promises, mistreatment.
13. Cindy Mathis (800) 935-5746 present at meeting with Ms. Krug where I complained of undue pressure, asked to be allowed to resign. told me that "reverse convertibles are considered a fixed income product, and as such there are no restrictions on their portfolio allocation"
14. Mary Mortensen (800) 935-5746
15. Christine Blomley (415) 222-1143
16. Dan Vetter (800) 935-5746-Currently employed Financial Advisor summarized Ms. Krug's management style as " the beatings will continue untill morale improves"
17. Daniel Kirk (916) 521-6941- My Licensed Banker at the Folsom branch for three years, continually complained of pressure, demeaning treatment, lack of aptitude of managers, finally resigned.

Ken has had respiratory problems for the last three years. His symptoms include coughing and throat clearing, and issues sleeping. He suffered from "sleep apnea" symptoms, sometimes more than once per night. Through this period he kept regular work hours, and confided in me that he was being pressured to generate higher commissions at work, and could be terminated

I have seen Ken's moods change from shock and despair at having been terminated without warning or cause, to encouragement as interview after interview led to the decision to recommend him as a new hire candidate, only to turn to despair yet again as he was routinely denied due to the u-5 entries.

Neither Ken or I can understand how a 30 year career can be ended for two frivolous and accidental infractions. Our home has been for sale for 4 months, our financial situation precarious, the emotional damage unmeasurable.



Laura A. Shaffer

Employment Search

Firms initially optimistic regarding my employment until entries on my u-5, lack of a t-12, resulted in a decline.

1. Stifel Nicolaus (u-5, t-12)
2. Ameriprise (u-5)
3. Wedbush Morgan Securities (u-5,t-12)
4. E-Trade (u-5)
5. Chase Investment Services (u-5)
6. Allstate Financial services (u-5)
7. Waddell and Reed (u-5)
8. Metroplolitan Insurance (u-5)
9. Edward Jones (u-5)

The responses to subpoenas issued by Mr. Chung, an infraction of FINRA discovery policy, contain errors in regard to my employment application at E-Trade and Stifel Nicolas. Please see attached documentation.

Info from employers I interviewed with

1. Perhaps E-Trade has no record of my application because the records requested are for Kenneth S. Shaffer, I am Kenneth C. Shaffer. E-Trade will not cooperate with me in confirming 2 interviews, and a tentative offer of employment. Please see e-mail confirmation of one interview, and my submission of background info as part of my application. Mr. Lou Hudson, manager of the Roseville Branch of E-Trade told me after two interviews, the second involving two other employees of the branch, that I was the most qualified applicant and that the branch would "benefit from my experience", and that I was the best candidate. I was scheduled to come to the branch a third time to meet with the visiting regional manager and formalize my hiring. At the branch, Mr. Hudson came out and said "we won't be able to meet today" and that I would be contacted, and walked away without further discussion. When I arrived home I phoned my contact at E-Trade and she told me that because of the entries on my u-5, an explanation would be required for registration in some states, and that E-Trade's policy was that "Investment Consultants" were required to be registered in all states. The situation with my u-5 would cause complications because of this, and I was being declined as a candidate. That last meeting at E-Trade was one of the most embarrassing and discouraging of this entire ordeal, and Mr. Chung is trying to suggest that I fabricated this account?

I called the E-Trade corporate office hoping to confirm my application and consideration, never heard back. I called the Roseville office and left an urgent message for Mr. Hudson to call me, no response. The Investment Consultant who answered the phone at E-Trade and told me that Mr. Hudson was busy identified himself as Jeremy, who I interviewed with. I asked Jeremy to give me his last name and he declined. There was another Consultant in the office who I also interviewed with, approximately 52 years old who could also verify that I interviewed at the office two times. The subpoenaing of this information which was not necessary, and did not follow FINRA guidelines has effectively blacklisted me from being considered an employee of E-Trade, another violation of code S-1050.

2. At Stifel Nicolas I interviewed with the branch manager, Mr. Clay Evans by himself and again with Mr. Evans and the the regional manager. Mr. Evans has told me that his legal contact has suggested that he not verify our meeting or my application in e-mail, but would be happy to confirm by phone. He also recieved the same promises of client accounts from Mr. Scambray, and reffered to him as a "chronic Liar" in our conversations.

Hi, Kenneth Sign Out All New Mail Help

Hot Mail

Search

Web Search

Post a Job.

Limited time only! Save up to 25% on Select Job Postings.

monster.com

April Contacts Calendar Notepad

What's New? Mobile Mail Options

Check Mail New -

Mail Search

13 Checks searching
in your[Previous / Next](#) | [Back to Search Results](#)[Print 35 Attachments](#) | [Print](#)

Delete Reply - Forward Spam Move...

Folders

Inbox (2597)
Drafts (28)
Sent
Spam (337) [Empty]
Trash [Empty]
My Photos
My Attachments**E*TRADE: Interview Confirmation & Application Materials**

From: "Jardine, Heather" <heather.jardine@etrade.com>

To: "shaffer0204@sbcglobal.net" <shaffer0204@sbcglobal.net>
5 Files (357KB) | Download All

Tuesday, February 2, 2010 9:29 AM



ET Applic... CRD.doc ntcauth.pdf Regnball... 2010 Ben...

Kenneth,

You are confirmed to meet with Branch Manager, Lou Hudson, Wednesday at 2:00 PM

*Roseville Branch
945 Highland Point Drive
Suite 100
Roseville, CA 95678
(916) 789-0735*

Please complete the attached required application materials and return to me via fax or mail (contact info below). I've also attached the 2010 Benefit Summary for your review.

Thank you,
Heather Jardine
E*TRADE FINANCIAL
Lead Recruiter
Tel: (801) 817-5700
Fax: (678) 624-8302

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 Folsom, CA 95630
 916.817.2233 tel
 916.817.2244 fax



FAX

To HEATHER JARDINE From KEN SHAFFER
 Company E TRADE FINANCIAL Phone number (916) 941-9557
 Fax number (618) 624-8302 Fax number _____
 Date 2-24-2010 Total pages 3
 Job number _____

Hi Heather - Here is the
 info release form, note on
 U-S entry.
 Thanks,
 Ken

Pre-Registration Check Authorization

I hereby authorize **E*TRADE Securities LLC** to conduct a pre-hire check through the FINRA-CRD system. I understand that **E*TRADE Securities LLC** will utilize the information obtained through the Web CRD system for the sole purpose of considering my suitability for registration with E*TRADE Securities LLC.

Kenneth P. Shaffer
Authorization signature of Applicant

02/24/2010
Date

KENNETH CRAIG SHAFFER
Name of Applicant (First, Middle, Last)

SEPT 6TH
Month and Day of Birth

564-06-1649
Social Security Number

RELATIONSHIP MANAGER
Position

CRD number (if known)

POBSEVILLE
Location

Name/Location of Recruiter

Name/Location of Business Manager

Military Service

Have you obtained any special skill or abilities as the result of service in the military?

☐ yes ☒ no

If so, describe:

References

List below three persons not related to you who have knowledge of your work performance within the last three years.

Name:	<u>JIM U'LEN</u>	<u>DAN VETTER</u>	<u>GREG SMAILLEY</u>
Position:	<u>FINANCIAL ADVISOR</u>	<u>FINANCIAL ADVISOR</u>	<u>FINANCIAL ADVISOR</u>
Company:	<u>WELLS FARGO INV.</u>	<u>WELLS FARGO INV.</u>	<u>EDWARD JONES</u>
Yrs. Acquainted:	<u>3+</u>	<u>10+</u>	<u>10+</u>
Phone Number:	<u>(916) 847-8136</u>	<u>(916) 984-1179</u>	<u>(541) 485-7667</u>

Please read carefully, initial each paragraph and sign below:

18 I hereby certify that I have not knowingly withheld any information that might adversely affect my chances for employment and that the answers given by me are true and correct to the best of my knowledge. I further certify that I, the undersigned applicant, have personally completed this application. I understand that any omission or misstatement of material fact on this application or on any document used to secure employment shall be grounds for rejection of this application or for immediate discharge if I am employed, regardless of the time elapsed before discovery.

18 I hereby authorize the company to thoroughly investigate my references, work record, education and other matters related to my suitability for employment and, further, authorize the references I have listed to disclose to the company, any and all letters, reports and other information related to my work records, without giving me prior notice of such disclosure. In addition, I hereby release the company, my former employers and all other persons, corporations, partnerships and associations from any and all claims, demands or liabilities arising out of or in any way related to such investigation or disclosure.

18 I understand that nothing contained in the application, or conveyed during any interview which may be granted or during my employment, if hired, is intended to create an employment contract between me and the company. In addition, I understand and agree that if I am employed, my employment is for no definite or determinable period and may be terminated at any time, with or without prior notice, at the option of either myself or the company, and that no promises or representations contrary to the foregoing are binding on the company unless made in writing and signed by me and the company's designated representative.

18 I understand that employment with E*TRADE FINANCIAL is subject to a Financial Regulatory Authority (FINRA) and FBI background check.

18 I have read and understand all of the above.

2-11-2010

Date

Applicant's Signature

E*TRADE
FINANCIAL

7

In Store Branch Manager 1 (Pollock Pines)-100008116 at U.S. Bank - Search Results - at... Page 1 of 1

Hi, Kenneth Sign Out All-New Mail Help

11:61 Mail

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What's New? Mobile Mail Options

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Fun Games To Keep
Your Brain Young

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In Store Branch Manager 1 (Pollock Pines)-100008116 at U.S. Bank

Wednesday, October 13, 2010 8:02 AM

From: "US Bank Career Center" <U.S.Bank_Do_Not_Reply@InvalidEmail.com>

To: "Kenneth Shaffer" <shaffer0204@sbcglobal.net>
1 File (2KB)

current_e...

Folders

Inbox (2598)
Drafts (28)
Sent
Spam (337) [Empty]
Trash [Empty]

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I am Available

0 Online Contacts [Add]

No contacts online right now.
Start a New Chat

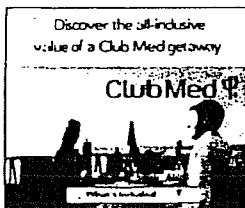
0 Mobile Contacts [Add]

You don't have any Mobile
Text contacts yet.
Start a Text Message

Settings

My Folders [Add - Edit]

discovery



Dear Kenneth,

After reviewing your application for the position of
In Store Branch Manager 1 (Pollock Pines) Registration Number 100008116, we regret to inform you that you have not been
selected for this position.

Your candidate profile will be retained in our database and you may be informed of job openings that match your profile if you
selected this option. We also invite you to visit the [career section](#) on our Web site regularly.

Thank you for your interest in career opportunities with U.S. Bank. We wish you all the best in your current job search and
future endeavors.

Regards,

U.S. Bank

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Follow Up on Internal Wholesaler I at The Principal Financial Group - Search Results - 'a... Page 1 of 1

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Follow Up on Internal Wholesaler I at The Principal Financial Group

Thursday, November 11, 2010 8:31 AM

From: "PrincipalCareers@exchange.principal.com" <PrincipalCareers@exchange.principal.com>

To: Shaffer0204@sbcglobal.net

Folders

Inbox (2598)

Drafts (28)

Sent

Spam (337) [Empty]

Trash [Empty]

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Chat & Mobile Text Home

I am Available

0 Online Contacts (Add)

No contacts online right now.

Start a New Chat

0 Mobile Contacts (Add)

You don't have any Mobile Text contacts yet.

Start a Text Message

Dear Kenneth Shaffer,

Thank you for applying for the position Internal Wholesaler I, requisition number 211774. We appreciate the opportunity to review your resume, and are pleased that The Principal Financial Group is part of your job search.

Several qualified candidates have applied for this position which made our decision a challenging one. At this time, however, we are moving forward with other candidates. If you applied for other positions, you may continue to monitor your status for those job openings on our website at www.principal.com/careers. We appreciate your time and interest in The Principal Financial Group.

Sincerely,

The Principal Financial Group

Human Resources

(515) 247-MYHR (6947)

(866) 524-MYHR (6947)

MyHR@principal.com

Equal Opportunity/Affirmative Action Employer/Smoke Free Work Environment

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http://us.mc813.mail.yahoo.com/mc/welcome?partner=sbc&gx=1&tm=1292808370&r... 12/19/2010

EXHIBIT U Page 228

RE: Hi Todd, how are things going at Maserati of Sac.? - Search Results - 'att.net Mail'

Page 1 of 1

Hi, Kenneth Sign Out All-New Mail Help

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Folders: Inbox (2598), Drafts (31), Mail, Spam (337), Trash, My Photos, My Attachments

RE: Hi Todd, how are things going at Maserati of Sac.? Wednesday, June 9, 2010 9:54 AM

From: Todd Lutes <tutes@niello.com>
To: Kenneth Shaffer <shaffer0204@sbcglobal.net>

We just reorganized the sales staff to cover the Maserati store a little better. I don't have a spot right now, but thank you for following up with

Todd Lutes
Sales Manager
Jaguar/Land Rover Sacramento
Maserati of Sacramento
(916) 483-8886 ext 2927

From: Kenneth Shaffer [mailto:shaffer0204@sbcglobal.net]
Sent: Wednesday, June 09, 2010 9:28 AM
To: Todd Lutes
Subject: Hi Todd, how are things going at Maserati of Sac.?

I am still hoping to be considered for a sales position when you have an opening, would it make a difference if I paid for the Maserati training school myself, worked part time (no benefits needed), or worked as an outside sales associate? I cannot believe that I would not be able to sell one car a month at a minimum.

My experience dealing with affluent clients making large dollar commitments would be a benefit for Niello. Successful sales people need to live the job, and I can't think of anything more enjoyable than talking with qualified prospects at their convenience, nights or weekends, about one of the most exciting purchases they will ever make. I would supplement incoming leads with my own prospecting efforts. I also realize that Niello representatives need to exhibit the highest levels of professionalism and honesty.

Let me help you meet and exceed your sales goals!
Regards,
Ken Shaffer
(916) 941-9557

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Program Manager Needed in Northern California, Company Confidential, Sacramento, CA

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Applied with

Resume Title: Resume of Ken Shaffer
Cover Letter: View cover letter
Date Applied: 8/9/2010
Apply Status: Received
Date Expired: 9/5/2010
Questionnaire: N/A

Notes

500 characters remaining

[Update](#)

[Candidates for this job also applied for](#)

DISTRICT SALES MANAGER, United Insurance Group, Sacramento, CA

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Applied with

Resume Title: Resume of K. Shaffer
Cover Letter: N/A
Date Applied: 6/29/2010
Apply Status: Received
Date Expired: 7/11/2010
Questionnaire: N/A

Notes

500 characters remaining

[Update](#)

[Candidates for this job also applied for](#)

Financial and Insurance Sales Consultants, Mutual of Omaha, Gold River, CA, 95670

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Applied with

Resume Title: Resume of Ken Shaffer
Cover Letter: N/A
Date Applied: 5/26/2010
Apply Status: Received
Date Expired: 5/30/2010
Questionnaire: N/A

Notes

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Regional Sales Director, Company Confidential, Sacramento, CA, 94203

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Applied with

Resume Title: Resume of K. Shaffer
Cover Letter: N/A
Date Applied: 5/11/2010
Apply Status: Received
Date Expired: 5/22/2010
Questionnaire: N/A

Notes

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Regional Sales Manager - Northern California, Washin..., Kingspor Abrasives Inc, Sacramento, CA, 94208

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Applied with

Resume Title: Resume of K. Shaffer
Cover Letter: N/A
Date Applied: 5/5/2010
Apply Status: Received
Date Expired: 5/27/2010
Questionnaire: N/A

Notes

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Regional Manager Northern California, Geopline Manufacturing Company, Sacramento, CA, 95827

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Resume Title: Resume of R. Shatter
 Cover Letter: N/A
 Date Applied: 5/5/2010
 Apply Status: Received
 Date Expired: 5/30/2010
 Questionnaire: N/A

Notes

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Regional Sales Director, Company Confidential, Sacramento, CA, 94203

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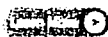
Resume Title: Resume Deleted
 Cover Letter: N/A
 Date Applied: 4/30/2010
 Apply Status: Received
 Date Expired: 5/22/2010
 Questionnaire:

Notes

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Medical Records

KAISER PERMANENTE SAC-POINT WEST
SACRAMENTO, CA 95815-4807

SHAFFER, KENNETH C
MRN: [REDACTED]
DOB: 09/06/1954, Sex: M
Enc. Date: 4/24/09

Progress Notes (continued)

MG ORAL TAB

- OMEPRAZOLE 20 MG ORAL CPDR SR Take 1 capsule orally 2 times a day 1/2 hour before breakfast and dinner for 14 days for H. Pylori
 - CLARITHROMYCIN 500 MG ORAL TAB Take 1 tablet orally 2 times a day for 14 days for H. Pylori
- Hold cholesterol medication 1 week prior to starting antibiotics and for three weeks after finishing antibiotics
- AMOXICILLIN 500 MG ORAL CAP Take 2 capsules orally 2 times a day with food for 14 days for H. Pylori
 - SIMVASTATIN 80 MG ORAL TAB Take 1 tablet orally daily //REPEAT LABS WITHIN 8 WEEKS OF STARTING
 - NORTRIPTYLINE 10 MG ORAL CAP Take 1 capsule orally daily 2 hours before bedtime and increase as tolerated.
 - LORAZEPAM 1 MG ORAL TAB Take 1 tablet orally 2 times a day when needed for anxiety
 - SERTRALINE 100 MG ORAL TAB Take 2 tablets orally daily

KAISER FOUNDATION
HOSPITALSHAFFER, KENNETH C
MRN: 110001850482
DOB: 09/06/1954, Sex: M

Result Information continued

Results

ALT	34	<36	U/L	Fin
-----	----	-----	-----	-----

Lab and Collection ALT, SERUM (Order #124992245) on 1/16/09 - Lab and Collection Information

Lab Results

Result Information

Result Date and Time
1/17/2009 7:19 PMStatus
Final resultProvider Status
Reviewed

Original Order	Ordered On Fri Aug 29, 2008 12:02 PM	Ordered By ROSE ELEANOR ARELLANES MD
----------------	-----------------------------------------	-----------------------------------------

Component
Results

Component	Value	Flag	Low	High	Units	Status
FERRITIN	78		22	322	ng/mL	Fin

Lab and Collection FERRITIN (Order #124992246) on 1/16/09 - Lab and Collection Information

Lab Results

Result Information

Result Date and Time
1/20/2009 11:02 AMStatus
Final resultProvider Status
Reviewed

Original Order	Ordered On Fri Aug 29, 2008 12:02 PM	Ordered By ROSE ELEANOR ARELLANES MD
----------------	-----------------------------------------	-----------------------------------------

Component
Results

Component	Value	Flag	Low	High	Units	Status
MITOCHONDRIA AB	NEGATIVE		NEGATIVE			Fin
MITOCHONDRIA AB, TITER	SEE NOTE		<1:20			Fin

Comment: TNP-Screening test negative. Titer not performed.

Lab and Collection MITOCHONDRIAL ANTIBODY (Order #124992247) on 1/16/09 - Lab and Collection Information

Lab Results

Result Information

Result Date and Time
1/17/2009 11:41 AMStatus
Final result -Provider Status
Reviewed

Original Order	Ordered On Fri Aug 29, 2008 12:02 PM	Ordered By ROSE ELEANOR ARELLANES MD
----------------	-----------------------------------------	-----------------------------------------

Component
Results

Component	Value	Flag	Low	High	Units	Status
HELICOBACTER PYLORI AB, EIA	1.09	H	0.00	0.99	Index	Fin

Comment: Reference Range: <= 0.89 NEGATIVE
0.90-0.99 EQUIVOCAL >= 1.00 POSITIVE
greater than or equal to 1.00 indicates the presence of H. pylori antibodies.

KAISER FOUNDATION
HOSPITALSHAFFER, KENNETH C
MRN: 110001850482
DOB: 09/06/1954, Sex: M

Result Information continued

Lab and Collection HELICOBACTER PYLORI AB (Order #124992249) on 1/16/09 - Lab and Collection Information

Lab Results

Result Information							
Result Date and Time		Status		Provider Status			
1/17/2009 12:03 PM		Final result		Reviewed			
Component Results	Component	Value	Flag	Low	High	Units	Status
	WBC COUNT	5.8		3.5	12.5	K/uL	Fin
	RED BLOOD CELLS COUNT	4.79		4.10	5.70	M/uL	Fin
	HGB	15.4		13.0	17.0	g/dL	Fin
	HEMATOCRIT	46.8		39.0	51.0	%	Fin
	MCV	98		80	100	fL	Fin
	RDW, RBC	13.3		11.9	14.3	%	Fin
	PLATELET COUNT	247		140	400	K/uL	Fin

Lab and Collection CBC WO DIFF (Order #124992250) on 1/16/09 - Lab and Collection Information

Lab Results

Result Information							
Result Date and Time		Status		Provider Status			
1/17/2009 12:03 PM		Final result		Reviewed			
Component Results	Component	Value	Flag	Low	High	Units	Status
	NEUTROPHILS %, AUTOMATED COUNT	50		41	79	%	Fin
	LYMPHOCYTES %, AUTOMATED COUNT	37		13	44	%	Fin
	MONOS %, AUTO	8		5	14	%	Fin
	EOSINOPHILS %, AUTOMATED COUNT	3		0	6	%	Fin
	BASOPHILS %, AUTOMATED COUNT	1		0	2	%	Fin

Lab and Collection WBC DIFFERENTIAL, AUTOMATED (Order #136376448) on 1/16/09 - Lab and Collection Information

Lab Results

Result Information							
<u>Result Date and Time</u>		<u>Status</u>		<u>Provider Status</u>			
8/21/2008 11:32 AM		Final result		Reviewed			
<u>Original Order</u>	<u>Ordered On</u>	<u>Ordered By</u>					
	Fri Aug 15, 2008 8:46 AM	ROSE ELEANOR ARELLANES MD					
Component Results							
<u>Component</u>	<u>Value</u>	<u>Flag</u>	<u>Low</u>	<u>High</u>	<u>Units</u>	<u>Status</u>	
PSA	0.6		0.0	4.0	ng/mL	Fin	

Comment: Test performed on DPC Immulite 2000. Values obtained with

LARYNGOSPASM

Note: switch ppi
Evaluation by heent again

I stated i would complet paper wok for short term diasbility.
Referred to bmc.

STRESS.

Note: trial of zoloft see if can help deal with anxiety of medical condition and work.

Electronically signed by ROSE ELEANOR ARELLANES MD on Thu Sep 11, 2008 1:45 PM

Encounter Messages

No Messages in this encounter

MEDICATIONS

HYPERLIPIDEMIA[272.4C]
 LARYNGOSPASM[478.75A]
 6/28/2007
 6/28/2007

Progress Notes

Encounter Information

10/16/2008 9:15 AM	ELISABETH MATHEW MD, MEDICAL DOCTOR	Sac-Hns1 >Main Campus	SACA
--------------------	----------------------------------------	-----------------------	------

Visit Notes

MARIAELENA ALONSO Thu Oct 16, 2008 9:16 AM
 Active Medications as of 10/16/2008:
 SERTRALINE 50 MG ORAL TAB, Sig: Take 1/2 tablet orally daily for 1 week then 1 tablet daily for 1 week then 1 & 1/2 tablets daily for 1 week then 2 tablets per day.
 SIMVASTATIN 80 MG ORAL TAB, Sig: Take 1 tablet orally daily //REPEAT LABS WITHIN 8 WEEKS OF STARTING
 PROTONIX 20 MG ORAL TBEC DR TAB, Sig: Take 1 tablet orally 2 times a day 30 minutes before breakfast and dinner

DOB: 09/06/1954, Sex: M
Enc. Date: 9/10/08

Progress Notes (continued)
Progress Notes (continued)

ROSE ELEANOR ARELLANES MD Physician Thu Sep 11, 2008 1:45 PM Signed
SUBJECTIVE:

Kenneth C Shaffer is a 54 Y male

Here with chronic throat problems,

Stressed as his throat is effectin ghis work, feels a lot of stress and unsupported as it is diffiult fo rhim to talk
all day.

Has not picked up protonix

Patient Active Problem List:

ALLERGIC RHINITIS

ACTINIC KERATOSIS..

GERD

HYPERLIPIDEMIA

Electronically signed by ELISABETH MATHEW MD on Thu Oct 16, 2008 10:09 AM

ELISABETH MATHEW MD Physician Thu Oct 16, 2008 10:06 AM Signed
Kenneth C Shaffer came today for consultation with H/O :-

"one year of symptoms worsening switched to protonix. patient tried to arrange fu by phone for return appt but was not able to and told needed a referral. affecting his work as he has to speak in front of large groups and often goes into spasm coughing while presenting."

On enquiry: pt has spastic episodes of coughing and reflux in spite of PPI use for the last 1 1/2 years. pt states that this has impaired his job capabilities as it involves a lot of speaking and he has no relief in spite of following all the recommendations.
States he has a lot of stress at work.

No allergies known to drugs or to foods.

Medications:
Sertraline

Progress Notes

MICHAEL J. LAWSON MD Physician Wed Nov 12, 2008 12:11 PM Signed

GASTROENTEROLOGY CONSULTATION

Consulting Physician: Michael Lawson, MD.

Referring physician:

Reason for Consultation: : laryngeal spasms severe seen by hns. has had ppi for ver a year at bid doseing . switched to protonix (can I give higher doses that 20 bid). request evaluation. I have initiated stress management. His laryngeal spasm effects his work as he speaks in front of large groups

HISTORY OF PRESENT ILLNESS:

Much job stress that patient feels makes problem worse and has felt better since being off. Has globus symptoms. Denies CP or GERD now but did wake occasionally in past with acidic taste in mouth. No dysphagia. Poor sleep patterns and fatigue and has been diagnosed with major depression. Has not had CBT yet. Has concerns over possible Barretts.

Medication replaces LIPITOR Please note new strength, color, and directions for use., Disp: 50, Rft: 2

Electronically signed by BRENDA L TATE on Thu Jun 28, 2007 8:49 AM

Progress Notes

ROSE ELEANOR ARELLANES MD Physician Thu Jun 28, 2007 8:53 AM Signed

SUBJECTIVE:

Kenneth C Shaffer is a 52 Y male

Here for fu of gerd and laryngospasm. Gerd significantly better. But still with hoarseness, can be difficult to conduct meetings as he will have to cough uncontrollably, concerned he will be fired for not being able to speak as effectively as previous!

Still on prilosec qd, not bid.

Tries to rest his voice on weekend.

Patient Active Problem List:

ALLERGIC RHINITIS [477.9C]

ACTINIC KERATOSIS.. [702.0A]

GERD [530.81A]

KAISER PERMANENTE SAC-MAIN CAMPUS
SACRAMENTO, CA 95825-2115

SHAFFER, KENNETH C
MRN: [REDACTED]
DOB: 09/06/1954, Sex: M
Enc. Date: 1/4/07

Progress Notes (continued)

Progress Notes (continued)

ELISABETH MATHEW MD Physician Thu Jan 4, 2007 12:02 PM Signed

SUBJECTIVE: H/o URI in Sept '06 for 2 weeks. Was very severe and the patient had a 2 week coughing episode following. He was given Abx and that cleared. For the last 3 weeks the patient has been having choking episodes and also episodes of "sleep apnoea" off/on that he has never had before. He was placed on omeprazole after consultation with the HNS on call at that time but this has not helped as dramatically as the patient expected. Sig. PH/o having to use several tablets of Tums/day to ease severe indigestion and heart burn for 2 years.

Ver heavy coffee drinker.

Nonsmoker.

Alcohol+

Works as a stock broker and has problems while working and has episodes of coughing that almost make his voice disappear.

Plays Tennis 2/week.

KAISER PERMANENTE FOL-IRON POINT
FOLSOM, CA 95630-8707

SHAFFER, KENNETH C
MRN: [REDACTED]
DOB: 09/06/1954, Sex: M
Enc. Date: 12/28/06

Progress Notes (continued)
Visit Notes (continued)

Pt is here with a cough, he states he has had problems sleeping at night because he wakes up not being able to breath and has had a few episodes of vomiting at night from not being able to catch his breath.

Electronically signed by ARELLANES, ROSE E on 12/28/2006 11:45 am

Progress Notes

ROSE ELEANOR ARELLANES MD Physician Thu Dec 28, 2006 11:58 AM Signed

SUBJECTIVE:

Kenneth C Shaffer is a 52 Y male returns with worsening symptoms
1. Patient with cough times one month,

Notes on Discovery Materials

Regarding the Memo dated 9/1/2009

The performance warning for August, like all the others, does not take into account the number of new accounts opened, or the placement of investments that are suitable for the client, and are of long term benefit to the client and the firm. During the month of August I placed over 1 million dollars in "Wells Fargo Advantage" Funds. These positions were almost entirely short term income funds which generated less first year income than the amount of the "A" share upfront commission amount, a suitability and fairness concern. As a result, I suggested the "C" share purchases, and because one order was over 500K, there was no sales commission credited to me, a policy of this particular fund for sales of 500K or more. "C" shares generate no sales charge to the client, complete flexibility after 12 months for the client, and 1% sales credit to the Financial Advisor, one third or less the commission credit of an "A" share sale. This illustrates again how the Wells Fargo Investments policies are in violation of standards of reasonableness and fair dealing. It also illustrates just how short sighted they are, as "C" class shares generate a 1% trailer amount every year, a benefit for the firm, the Financial Advisor, and most importantly the client.

You will get a feel for the "culture" of this firm when you review Ms. Krug's notes from 8/28/09, please see last note on page- "decide which clients deserve a deeper drill". Comments like this, and the lack of any reasonable or insightful investment recommendations during a period of market turbulence led to a feeling of extreme frustration and guilt in not being able to recommend the most sensible and conservative investment plan for the people I worked with many elderly, many of who placed complete trust in me. When you consider Wells Fargo's complete emphasis on revenue over suitability, and the demographics of the firm's clients, largely elderly, you could consider this a huge case of elder abuse.

August 10th E-mail re: Fitness for Duty

I truly do not have any recollection of receiving this letter, please see second paragraph, "We have reason to believe that you are not able to work because of a possible medical problem". Is this the reason that I was terminated? I think the A.D.A. has wording to protect wrongful termination based on health problems. I do not understand the reference to thoughts of killing myself. It is possible that I said the episodes of sleep apnea and inability to catch my breath made me fearful of death, or made an offhand remark to being better off dead, but I don't think I have ever heard of anyone dying from sleep apnea, and I do not harbor suicidal thoughts. If I said something in that regard, it must have been offhand and cynically humorous. I do remember that in reference to one short notice, mandatory "call event", I informed Ms. Krug. that I had a conflicting Doctor's appointment, and she sent me back an e-mail that said only "really?" suggesting, I thought, that I was not telling the truth, and in an annoyed and what I thought was humorous reply, I said something like, no "really" this appointment has been scheduled for some time, "really", I think I will have to sell my house," really", I wish I were dead. If anyone had bothered to ask me, I could have told them that I had no suicidal thoughts. As far as Ms. Krug's concern for my health, she never seemed to be the least bit interested, nor was Ms. Brandell, her comment on my return from two months family leave was "well, you look better" more telling is that another terminated Financial Advisor, Jim U'ren needed hip surgery and spent approximately 2 months out of the office. The first procedure was unsuccessful, resulting in a return to the hospital and full hip replacement. He confided in me that Ms. Krug did not check in on him one time during the whole process. Shortly after his return he was terminated, based on a complaint from someone not named on the account. This is the kind of mentality present in the Sacramento District of Wells Fargo Investments, I can only hope that this kind of philosophy is isolated in Sacramento.

The Promissory Note

Legally, I ceased being an "at will" employee when I signed the note. See "promissory note" in "Issues". Any lack of restriction benefitting the firm because of my "at will" status was effectively surrendered by the promissory note agreement.

Wells Fargo "i-Bonus"?

see note, after exceeding "revenue metric" for three months, my goal is raised by almost 50% and I am to receive "carefull monitoring"?. I think this shows an intention to terminate me at the earliest opportunity.

The

emphasis on revenue over reasonableness or client benefit is a another breech of "the implied covenant of good faith and fair dealing"

Interaction with Management

Would you think that Jan's supervisor, Mark Webster, might have given me a call, or invited me to talk to him in reference to any of these conversations, including my statement of wrong doing by Wells Fargo? Never, I have never had a personal conversation with Mark Webster. I have had one conversation with Leo Hamil, prompted by his conference call regarding "pressures" in the brokerage business, brokers jumping off a building in New York was mentioned, an invitation to discuss any concerns was made. I e-mailed him back and told him that in addition to unfulfilled promises, one of the most succesful Financial Advisors had recently left, actually at least 1/2 of the Financial Advisors left during Ms. Brandell's tenure, and that when I inquired about covering at the resigning brokers branch, the location close to my own new, floundering branch, and attempting to conserve accounts from leaving Wells Fargo I did not even receive a reply e-mail. Approximately 50 million dollars in accounts were distributed to a select handful of Financial Advisors, who I was expected to compete against in revenue with the threat of termination. This type of discriminatory treatment led to my "poor atitute". The Financial Advisor hired to replace the resigning broker at her Placerville, Calif. branch office, Blair Buchanan, lasted less than two years, is not with the Firm any longer.

Misrepresentation of Products

Scott Caldrow, Licensed Banker Manager in the area of the "Micron Branch" commented in a meeting with myself and a licensed banker named Chris, that the Insurance Product, "Money Guard" paid 5% interest, and he could not understand "why we would not be selling it to everybody". Maybe Scott could sell a lot of policies with the 5% income guarantee, but 5% was the gross crediting rate for the policies, and there was an approximately 3.5% deduction, possibly greater as the client aged, for the cost of insurance. The client would be lucky to "net" 1.5%. I'm sure Mr. Caldrow could have gotten around the 8 year surrender charge schedule as well.

**Wells Fago
Investments, LLC**

Memo

To: Ken Shaffer, Financial Consultant
From: Jan M. Krug, Regional Brokerage Manager
CC: Christine Blomley
Leo Hamill
Mark Webster
Personnel File
Date: September 1, 2009
Re: Formal Written Performance Warning for Unsatisfactory
Production

Ken, this notice is to inform you that you are being placed on Formal Written Warning for Unsatisfactory Production.

You have been unable to meet your minimum monthly revenue goal per WFI standards during the month of August, 2009. Per my verbal warning to you on August 3, 2009, your minimum monthly production for the month of August was \$25,000. In fact, your August production was \$14,074.

Your minimum monthly production for the months of September through November 2009 will be \$25,000 per month.

Ken, you must meet the above minimums each month. Your performance vs. the stated goal of \$25,000 per month will be evaluated at the end of each production month. If you should fail to meet your monthly minimum production goal, you will be subject to further disciplinary action, up to and/or including termination.

We will continue to meet on a bi-weekly basis by phone or in person so that I can provide you with feedback, coaching and support in helping you to meet these sales goals. I am confident you will be able to improve this situation. As always, I am available to assist you in any way I can.

Should you wish to discuss this with someone else, please contact Christine Blomley, our Human resources Manager at (415) 222-1143. For any non-job related problems affecting your performance, please contact Employee Assistance Consulting at (EAC) at (888) 327-0027.

Please sign below to indicate that you have received this Formal Written Warning memo.

W000017

Date: August 10, 2009

To: Kenneth Shaffer
From: Jan M. Krug, RBM
Re: Fitness for Duty

This letter is to confirm the conversation we had with you today regarding our concerns about your job performance and behavior in the following areas:

We have reason to believe that you are not able to work because of a possible medical problem. You are consistently negative in your attitude and have expressed thoughts of killing yourself. You have expressed that you no longer want to continue in your role as Financial Consultant yet feel you are unable to leave your role due to financial obligations.

Based on these concerns, we have placed you on paid administrative leave, and we are recommending that you undergo a Fitness for Duty evaluation to be performed by a professional outside of the company. The purpose of this evaluation is to obtain a neutral, professional opinion as to your ability to perform your job. The evaluation will be paid for by the company.

Employee Assistance Consulting (EAC) will provide you with a doctor's name and phone number and an appointment time. The EAC consultant is Sue Frixione at 213-688-2122. It is important that you call the EAC consultant **today** to obtain that appointment information. It is your responsibility to follow through with the agreed upon arrangements. Information gathered by the doctor is confidential and is shared only with the EAC consultant who arranged your evaluation. EAC will only notify me regarding your ability to return to work (or any job accommodations that might be recommended).

While you are on this paid administrative leave, you need to be available by phone at home and you are required to check in daily with my office by phone. You should not report to work, and you should not make contact with anyone at work or conduct any business on behalf of Wells Fargo until you have a Fitness for Duty release from the doctor. If you have any questions, you may call me at **916-788-4532** or you may call EAC at the above-mentioned number.

Sincerely,

Jan M. Krug
Regional Brokerage Manager
Sacramento Region

cc: Human Resource Consultant

1/1/2011 - I HAVE
NO RECOLLECTION OF EVER
RECEIVING THIS LETTER
Jan M. Shaffer
JANNA SHAFER
W000012

Krug, Jan M.

From: Krug, Jan M.
Sent: Monday, August 03, 2009 8:18 AM
To: Shaffer, Kenneth C.
Cc: Blomley, Christine
Subject: Verbal Performance Warning

Dear Ken:

This email is a follow up to our meeting on Friday, July 31, 2009 regarding your performance. Effective July 31, you are being placed on verbal performance warning. As we discussed, your minimum production revenue will be:

August 2009: 25,000
September 2009: 25,000
October 2009: 25,000

In addition, successful results in IM&T and insurance will also be required as per plan. I will schedule bi-monthly performance reviews with you. Please let me know if there is anything else I can assist you with in achieving these performance minimums.

Additionally, and as we discussed on Friday, your promissory note obligation is in no way modified, diminished or forgiven as a result of this action. Your contractual obligations remain as per contract.

Thank You,

Jan M. Krug

Wells Fargo Investments
Vice President
Regional Sales Manager
Private Client Services
1512 Eureka Road Suite 300
Roseville, CA 95661
(916) 788-4532

W000011

Pay Inquiry

Page 1 of 1

Pay Voucher

KENNETH CRAIG SHAFFER

[Paycheck Calculator](#)

B03 WELLS FARGO INVESTMENTS, L
 999 THIRD AVENUE
 SEATTLE, WA 98104

For a prior pay period, click

[Paycheck Selection](#)[Printer-Friendly Format](#)

KENNETH CRAIG SHAFFER
 5315 GARLEDA DR
 EL DORADO HILLS, CA 95762

EmplID: 00000716429

AU#/CC#: 015223

Location: 25015FOLSO

Pay Begin Date: 03/02/2008

Pay End Date: 03/15/2008

Check Date: 03/21/2008

TAX DATA: Federal CA
 Marital Status: Married Married
 Allowances: 6 6
 Addl. Amt:

Job Title: WMG FINANCIAL
 CONSULTANT 2

	Total Earnings	Cur TaxableGrs	Total Taxes	Total Deductions	Net Pay
Current	2,908.02	4,730.01	1,365.72	254.22	1,288.08
YTD	123,690.28	15,310.00	3,463.50	1,374.02	118,852.76

Earnings**Taxes**

Description	Hours	Rate	Amount	YTD Amt	Description	Amount	YTD Amt
Promissory Note			2,029.59	4,059.18	Fed Withholding	715.25	1,615.02
PCS Sales Incentive Plan			1,521.35	3,777.68	Fed MED/EE	69.85	227.36
Regular Pay			1,386.67	8,320.02	Fed OASDI/EE	298.67	972.18
PCS Sales Assistant/Mentor				245.58	CA Withholding	243.41	523.50
Forgivable Promissory Note				111,347.00	CA OASDI/EE	38.54	125.44

Total:	2,908.02	123,690.28	Total:	1,365.72	3,463.50
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Before-Tax Deductions**After-Tax Deductions**

Description	Amount	YTD Amount	Description	Amount	YTD Amt
Kaiser-NCA	94.62	567.72	Com Suport	10.00	60.00
Den-Stndrd	17.74	106.44	SP/P GULP	1.60	9.60
VSP Vision	8.00	48.00	OPTNL Life	21.36	129.29
WF 401(K)	87.24	370.30	AD/D	1.84	11.13
			LTD	11.82	71.54

Total:	207.60	1,092.46	Total:	46.62	281.56
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Net Pay Distribution

	Paycheck Number	Account Number	Amount
Direct Deposit	26072820	XXXXX-X2193	1,288.08

[Go To: Pay Tools Home](#)[Copy to Word \(Instructions\)](#)

Metropolitan Life Insurance Company
MetLife Disability, P O Box 14590, Lexington, KY 40511-4590
Phone: 1-888-621-2977 Fax: 1-800-230-9531

MetLife

October 23, 2008

Kenneth Shaffer
5315 Garlenda Dr.
El Dorado Hills, CA 95762

Employer: Wells Fargo
Claim #: 350809177639
Employee ID: 00000716429

Dear Mr. Shaffer:

This letter is regarding your Short Term Disability (STD) claim based on your last date worked of September 19, 2008. Your claim is being denied as the information provided does not support an inability to work starting on September 22, 2008.

Your plan states:

For purposes of the STD Plan, a medically-certified health condition is generally defined as a disabling injury or illness that:

- Is documented by clinical evidence as provided and certified by an approved care provider. Clinical evidence may include medical records, medical test results, physical therapy notes, mental health records, and prescription records.
- Prevents you from performing the essential functions of your own job on a full or part-time basis, for more than the STD waiting period.

Your plan also states:

To qualify for STD benefits, you must be receiving appropriate care and treatment for your medically-certified health condition. Appropriate care and treatment means medical care and treatment that meets all of the following:

- It is received from an approved care provider whose training and experience are suitable for treating your medically-certified health condition;
- It is necessary to meet your health needs and is of demonstrable medical value;

RP0810210060_1-2-4

- It is consistent in type, frequency and duration of treatment with relevant guidelines of national medical, research and health coverage organizations;
- It is consistent with the diagnosis of your condition; and
- Its purpose is to maximize your medical improvement.

The medical information currently on file does not support an inability to perform job functions as a Financial Consultant as of September 22, 2008. Dr. Rose Eleanor Arellanes, M.D. assessed you on September 10, 2008 and recommended that you be off work from September 22, 2008 through November 01, 2008 for voice rest due to laryngospasm.

We also received information from Dr. Elisabeth Mathew, M.D. who assessed you on October 16, 2008. She notes that your exam findings were within normal limits. Dr. Mathew's indicated that you had stated the laryngospasms are affecting your work as you speak in front of large groups and often go into spasm coughing while presenting. Dr. Mathew stated you were referred to a Gastroenterologist and given information for stress management classes.

Based on the medical documentation on file there is no medical to support your inability to work starting on September 22, 2008. There is no indication that you are having impairments of a severity or frequency to preclude working full time. Therefore, STD benefits for this claim are denied beginning September 22, 2008 for medical reasons.

We also had your claim reviewed due to a diagnosis of stress. There is no detailed psychiatric medical information, such as symptoms or functional abilities that would indicate that you are unable to function at work due to a psychiatric condition. The medical on file indicates that the stress is secondary to medical issues.

Based on the lack of clinical findings to support your inability to work full time starting September 22, 2008 your STD claim has been denied.

In the event you wish to file an appeal, please follow the instructions below and submit detailed medical information to support your claim. Detailed medical information should include but is not limited to the following information: office notes from all treating physicians indicating symptoms and diagnostic test results that document your functional inability to perform your work duties, operative reports and discharge summaries (if applicable) and names and dosages of all current medications,.

You may appeal this decision by sending a written request for appeal to MetLife Disability, P O Box 14590, Lexington, KY 40511-4590 within 180 days after you receive this denial letter. Please include in your appeal letter the reason(s) you believe the claim was improperly denied, and submit any additional comments, documents, records or other information relating to your claim that you deem appropriate for us to give your appeal proper consideration. Upon request, MetLife will provide you with a copy of the documents, records, or other information we have that are relevant to your claim.

MetLife will evaluate all the information and advise you of our determination of your appeal within 45 days after we receive your written request for appeal. If there are special circumstances requiring additional time to complete our review, we may take up to an additional 30 days, but only after notifying you of the special circumstances in writing. In the event your appeal is denied in whole or in part, you will have the right to bring a civil action under Section 502(a) of the Employee Retirement Income Security Act of 1974.

If you have questions, please contact MetLife's Customer Response Center Monday through Friday from 8:00 A.M. to 11:00 P.M. Eastern Time at the toll free number above. Our Customer Response Center representatives can assist you with your claim questions.

Sincerely,
Nancy Weir
MetLife Disability

RP0810210060_1-4-4

Confirmation Report - Memory Send

Page : 001
 Date & Time: Nov-20-08 02:40pm
 Line 1 : 916-746-3635
 Line 2 :
 E-mail :
 Machine ID : Kaiser

Job number : 978
 Date : Nov-20 02:35pm
 To : 8918668404887
 Number of pages : 005
 Start time : Nov-20 02:37pm
 End time : Nov-20 02:40pm
 Pages sent : 005
 Status : OK

Job number : 978

*** SEND SUCCESSFUL ***

Kaiser Permanente

Fax

To: <u>Attn: Suzan Hunter</u>	From: <u>Peggy Bachman</u>
<u>Wells Fargo</u>	<u>(916) 746-3648</u>
Fax: <u>866-840-4887</u>	Date: <u>11/20/08</u>
Phone:	Pages: <u>5</u>
Re: <u>Kenneth Shaffer</u>	CC: <u>16 # C00716429</u>

☐ Urgent
 ☐ For Review
 ☐ Please Comment
 ☐ Please Reply
 ☐ Please Recycle

CONFIDENTIALITY NOTICE: The document(s) accompanying this transmission fax is intended only for the use of the individual or entity to which it is addressed and may contain confidential information that is privileged or exempt from disclosure. It is unlawful for unauthorized person to review, copy, discuss or disseminate confidential medical information. If you are not the intended recipient, you are hereby notified that you have received this fax message in error and to please notify us immediately at the above sender phone number to arrange for the return of the original fax transmission.

Medical Certification Form Family and Medical Leave Act 1993

COPY
Team
Member



Fax completed form to Leave Management at 866-840-4887 SUZAN HUNTER

Employee Name: KENNETH C SHAFFER

Date of Birth: [REDACTED]

Employee ID: 000716429

Items 1 through 6 are to be completed by the Health Care Provider (please complete in full):

1. A "serious health condition" as defined under the Family and Medical Leave Act (FMLA) is described on page 3. Please check below if the patient's condition¹ qualifies under any of the following categories:

<input type="checkbox"/> Hospital Care (1)	<input type="checkbox"/> Absence Plus Treatment (2)	<input type="checkbox"/> Pregnancy (3)	<input checked="" type="checkbox"/> Chronic Condition (4)	<input type="checkbox"/> Permanent Long-Term (5)	<input type="checkbox"/> Multiple Treatments (6)	<input type="checkbox"/> None of the Above
-----------------------------------------------	--------------------------------------------------------	-------------------------------------------	--------------------------------------------------------------	-----------------------------------------------------	-----------------------------------------------------	--------------------------------------------

2. Medical Facts

- a) Describe the **medical facts** which support your certification, including a brief statement as to how the medical facts meet the criteria of the category checked above:

EPISODES OF COUGHING AND REFLUX. UNABLE TO SPEAK IN FRONT OF LARGE GROUPS
AND GOES INTO SPASM

- b) Please state the approximate **date** the condition commenced: 09/22/08

- c) The estimated duration of the condition: 11/27/08

- d) Is the patient presently incapacitated as a result of this condition? ☒ Yes ☐ No

- If yes, first date unable to work: 9/22/08 Expected return-to-work date: 11/27/08
- If yes, please indicate the likely frequency of **episodes of incapacity**²: _____

3. Work Capability

- a) If **medical leave is required** for this condition, is the employee able to perform work of any kind? ☐ Yes ☒ No

- b) If yes, please list the essential functions of the job that the employee is **unable to perform**. The employee should supply you with information about his/her essential job functions.

- c) Will it be necessary for the employee to work a **reduced work schedule** as a result of the condition (including treatment described in question 4 below)? ☐ Yes ☐ No

- If yes, number of hours per day: _____ Number of days per week: _____

4. Treatment

- a) Is it necessary for the employee to be absent from work for treatment? ☒ Yes ☐ No

- b) If additional treatments will be required for the condition, provide an estimate of the probable number of such treatments: _____

¹ Here and elsewhere on this form, the information sought relates only to the condition for which the employee is taking FMLA leave.

² "Incapacity", for purposes of FMLA, is defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, related treatment, or recovery.

Employee Name: KENNETH SCHAFER

Employee ID: 000716429

4. Treatment, continued

- c) If the patient will be absent from work or other daily activities because of treatment³ or on an intermittent or part-time basis, please also provide an estimate of the following:

- the probable number of such treatments: 7
- the probable interval of such treatments: _____
- actual or estimated dates of treatments, if known: 9/5, 9/10, 10/6, 10/16, 11/12/08
- period required for recovery, if any: _____

- d) If any of these treatments will be provided by another provider of health services (e.g., physical therapist), please state the nature of such treatments:
- _____
- _____

- e) If a regimen of continuing treatment⁴ by the patient is required under your supervision, provide a general description of such regimen (e.g., prescription drugs, physical therapy requiring special equipment):
- MEDICATION
- _____
- _____

5. Health Care Provider Signature

MICHAEL J. LAWSON, MD
Print Name of Health Care Provider

Michael J. Lawson, MD
Signature of Health Care Provider

GI
Type of Practice

11/20/08
Date

2025 MORSE AVENUE, SACRAMENTO, CA, 95825 916-746-3648
Address Telephone Number

Fax Number

6. Release of Information

Wells Fargo may need to contact the attending health care provider in order to authenticate and clarify any information provided for the certification of the serious health condition. The patient is asked to sign the authorization prior to returning the form to Wells Fargo Leave Management.

I authorize Wells Fargo's health care professional to contact my health care provider in order to authenticate and clarify any information provided for the certification of my serious health condition under the Family and Medical Leave Act.

Employee Signature (required)

Date (required)

³ Treatment includes examinations to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examinations, or dental examinations.

⁴ A regimen of continuing treatment includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition. A regimen of treatment does not include the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider.



Serving the People of California

COPY

Received: 11/18/2008

Physician's Supplementary Certificate

Patient [REDACTED]

EDD 201006
P.O. BOX 201006
STOCKTON, CA 95201-9006

Patient Name: SHAFFER, KEN
Kaiser record # 000001850482
Disability Start Date 1/1/08

This Physician's Supplementary Certificate must be submitted within twenty (20) days of the date issued shown on the Claimant's Certification received by the patient from the Employment Development Department (EDD).

1. Are you still treating this patient? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Date of Last Treatment 11/12/2008
2. What present condition continues to make the patient disabled? Diagnosis (REQUIRED): CONVERSION DISORDER		Date of next appointment: 1/1/08
ICD Code(s) (REQUIRED): Primary: 300.11		Secondary:
3. Describe how the patient's present condition or impairment prevents him or her from returning to regular or customary work. LARYNGEAL SPASMS SEVERE, SEEN BY HNS. PT HAD PPI FOR OVER A YEAR AT BID DOSEING, SWITCHED TO PROTONIX. PT'S LARYNGEAL SPASM EFFECTS HIS WORK AS HE SPEAKS IN FRONT OF LARGE GROUPS. C/O JOB STRESS THAT MAKES PROBLEMS WORSE. HAS GLOBUS SXS. POOR SLEEP PATTERNS AND FATIGUE & HAS BEEN DIAGNOSED WITH MAJOR DEPRESSION.		
4. What factors or complications are disabling the patient longer than previously estimated for this type of illness or injury? GLOBUS HYSTERICUS. RX FOR NORTRYPTILINE. INCREASE EXERCISE AS TOLERATED.		
5. Present estimated date patient (even if still under treatment) will be able to perform his/her regular or customary work: 11/27/2008		
6. Would disclosure of this information to your patient be medically or psychologically detrimental to the patient? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
I hereby certify that the above statements in my opinion truly describe the claimant's condition and the estimated duration thereof.		
Doctor's Name (print or type): MICHAEL LAWSON MD		Doctor's Signature: <i>Michael Lawson MD</i> Peggy Bachman, Auth Signer for MICHAEL LAWSON MD
Specialty, if any: GASTROENTEROLOGY		State License Number 048665A
Date signed: 11/20/2008		Telephone Number: (916) 746-3648
Address Kaiser North Valley - ROS Medical Secretaries 1600 Eureka Road Roseville, CA 95661		

Return this form to EDD, together with any signed and dated Claimant's Certification submitted to you, to the address shown on the Claimant's Certification.

DE 2525XX (DiskX) (9/98)

Metropolitan Life Insurance Company
PO Box 14590, Lexington, KY 40511-4590
NOT FOR SERVICE OF LEGAL PROCESS

MetLife®

November 25, 2008

Mr. Kenneth Shaffer
5315 Garlenda Dr.
El Dorado Hills, CA 95762

Short Term Disability
Wells Fargo & Company
Claim # 350809177639
Report# 300218

Dear Mr. Shaffer,

We have completed our review of the denial of your claim for Short Term Disability benefits. For the following reasons, the original determination to deny benefits is upheld upon appeal review.

The Wells Fargo & Company, plan says:

For purposes of the STD Plan, a medically-certified health condition is generally defined as a disabling injury or illness that:

Is documented by clinical evidence as provided and certified by an approved care provider. Clinical evidence may include medical records, medical test results, physical therapy notes, mental health records, and prescription records.

Prevents you from performing the essential functions of your own job on a full or part-time basis, for more than the STD waiting period.

You last worked as a Financial Consultant II on September 19, 2008. Your job as a Financial Consultant II is considered a sedentary job which requires telephonic, face to face and electronic customer contact.

We have reviewed your entire claim. This included but was not limited to the following information.

We received your appeal letter on October 17, 2008. You indicated that in December 2007, you began experiencing uncontrollable coughing which your doctor diagnosed as Acid Reflux. You stated that your doctor suggested that you take time off of work, but that you declined due to the fact that you work strictly on commission and were not sure if you would have access to disability payments. You stated that your constant coughing and clearing of your throat compromised your effectiveness at your job. You reported that you felt like you

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have had a cold for the last 22 months with the persistent hoarseness, scratchy throat and tiredness. You indicated that this health situation and the lack of improvement, led to a condition of depression which was exacerbated by the volatility and the decline of the financial markets and the demands of your position. You reported that although your doctor suggested you take time out of work back in January 2007 due to your condition; you felt it was necessary and responsible for you to complete projects and obtain clearance from your employer before missing any work. You requested an appeal of your claim.

In an effort to provide you with a thorough and fair review, we had your entire claim file reviewed by an independent physician consultant, Board Certified in Internal Medicine.

The consultant noted that you are a 54 year old male with the diagnoses of laryngeal spasms, GERD, hyperlipidemia, allergic rhinitis and stress disorder. The consultant reviewed all of the office notes that were submitted for review.

The consultant reviewed an office note from your family practitioner, Dr. Rose Arellanes dated September 11, 2008, where you complained of continued throat problems. Dr. Arellanes noted that you had not yet picked up your prescription for Protonex. Dr. Arellanes documented your physical exam as normal and noted a diagnosis of laryngospasm and allergic rhinitis. Dr. Arellanes reported that at that time she prescribed you an antidepressant.

The consultant reviewed an office note from Dr. Matthew, an Otorhinolaryngologist, dated October 16, 2008. Dr. Matthew noted that you had continued complaints of coughing for the last year and half despite proton pump inhibitors therapy. Dr. Matthew documented that the examination to your larynx was normal and that she referred you to gastroenterology.

The consultant attempted to hold teleconferences with both Dr. Arellanes and Dr. Matthew; however neither doctor was available for comment.

The consultant concluded that the medical information did not support any functional limitations beyond September 22, 2008. The consultant noted that you reported similar symptoms for at least one year before you went out of work, with no evidence of any prior impairment requiring time out of work before September 22, 2008. The consultant noted that both examinations of your larynx were normal. The consultant documented that the medical records indicated that you were not compliant in starting Protonix and that there was no other documentation that you suffered from any other medication side effect. The consultant concluded that there was no documentation of a functional impairment precluding sedentary to light levels of exertion from September 22, 2008 and beyond.

AP0811252351_1-3-5

A copy of the independent physician consultant's report was faxed to Dr. Arellanes and Dr. Matthew on November 17, 2008. We requested that they send their comments on the report, specifically addressing but not limited to your impairments, restrictions, and or limitations. We asked that if they were not in agreement with the report to submit clinical evidence to support their conclusions. Dr. Arellanes and Dr. Matthew were given until November 24, 2008; however no further clinical evidence was received either of your treating providers.

The determination of disability is not solely based on diagnosis, but is based on functional ability supported by clinical evidence that would substantiate symptoms consistent with those reported by you and your medical providers. In the determination of disability, we must take into consideration current restrictions and limitations that are supported by clinical evidence that substantiates an inability to perform your job.

Benefits must be administered in accordance with your employer's plan, and as stated above, the definition of disability states that your disabling injury or illness must prevent you from performing the essential functions of your own job on a full or part-time basis. The medical information did not support any functional limitation beyond September 22, 2008. There was no clinical medical evidence to support any functional limitations preventing you from performing your own job as a Financial Consultant II and therefore, benefits beyond September 22, 2008, will remain denied.

Upon request, MetLife will provide you with a copy of the documents, records, or other information we have that are relevant to your claim and identify any medical or vocational expert(s) whose advice was obtained in connection with your claim.

If there is additional medical information that supports your claim, you may send it to Wells Fargo at the address below within 60 days from receipt of this letter for further consideration. The additional medical information should include detailed information and complete examination findings, office notes, test results, treatment and response, and medications. Your doctor(s) should also indicate how any medical restrictions might have affected your employability. This medical information should be accompanied by your written request for review. Include the following information with your request: your name, claim number, reference to the initial claim decision, and an explanation why you are appealing the decision. The request should be directed to:

Wells Fargo & Company
Plan Administrator – Short Term Disability Plan
100 W. Washington Street, 10th Floor
MAC S4101-105
Phoenix, AZ 85003

RP0811231351_1-4-5

Minnesota Life Insurance Company
A Securian Financial Group Affiliate
400 Robert Street North
St. Paul, MN 55101-2098
www.minnesotalife.com
651.665.3500

MINNESOTA LIFE

07/25/2008

KENNETH C SHAFFER
5315 GARLEND DR
EL DORADO HILLS CA 95762

RE: UPDATED PROFILE PAGE

Dear Insured:

The reverse side of this letter is your updated profile page for your Group Universal Life (GULP) optional life insurance coverage through Wells Fargo & Company. Please attach this profile page to the Certificate of Coverage you received from Minnesota Life when you enrolled in GULP.

The information that changed on your profile page, on the reverse side of this letter, is noted with a double asterisk (**) in the left-hand margin. The following changes are indicated:

Name: Your name changed due to marriage, divorce, legal name change, or a record correction.

Face Amount of Insurance: You had a change in salary, or you increased or decreased your level of coverage.

Planned Premium: You had a birthday which put you in a new premium bracket, or you had a change in your level of coverage, or this policy had a rate change.

Issue Age: Your age at the time of your most recent coverage change.

If you are not actively at work (as defined on page three in your certificate), your approved coverage will not take effect until you return to an actively at work status. Please contact Minnesota Life when you have returned to work. We will then notify Wells Fargo to begin payroll deductions for this increased coverage amount. However, based on the length and reason for your leave, additional underwriting may be required. This does not apply to you if Minnesota Life now bills you directly for this life insurance coverage.

If you have questions regarding this new profile page, please call us at 1-877-822-8308.

Sincerely,

Group Universal Life Customer Service

PROFILE

PLAN SPONSOR: WELLS FARGO & COMPANY

GROUP POLICY NUMBER: [REDACTED]

NAME AND ADDRESS OF INSURED:

Original Certificate Effective Date: 08-01-2006

Policy Anniversary Date: 08-01-2008

Current Certificate Effective Date: 04-01-2008

Insured: KENNETH C SHAFFER

OWNER: KENNETH C SHAFFER

KENNETH C SHAFFER
5315 GARLEDA DR
EL DORADO HILLS CA 95762Any increase in insurance that requires
evidence of insurability will be subject
to the incontestability and suicide
provisions of the Policy.**Basic Information**

- ** Certificateholder Face Amount of Insurance: \$ 751,936 Increasing Death Benefit
Sponsor Face Amount of Insurance: \$ 0
- ** Certificateholder Planned Premium: \$ 48.12 Bi-Weekly
Sponsor Planned Premium: \$ 0.00
- Nicotine/Tobacco User Status: Non-tobacco
- Issue Age: 53
- Identification Number: 811527000000
- Percentage-of-Premium Administration Fees: 2.1% of cash
accumulation contribution
- Surrender: The following surrender charges will be made upon surrender:

<u>Year</u>	<u>Surrender Charge</u>
N/A	N/A

Partial Withdrawal Fee: \$10.00

Schedule of Additional Benefits (as provided by attached riders)

<u>Description</u>	<u>Benefit Amount</u>	<u>Premium Payable</u>
ACCELERATED DEATH BENEFIT	0	0.00

** Indicates a change was made to your Group Universal Life Contract.



Private Client Services
1512 Eureka Road, Suite 300
Roseville, CA 95661-3069

Please note that revenue generated from trades made in your personal Well Fargo brokerage accounts will not count towards your achievement of the Best T12 production target nor will it be included in the calculation of the Loan amount.

Earning the Incentives:

All previously stated compensation and eligibility for the bonus/Loan is subject to your continued active employment in good standing through the dates by which the stated non-recoverable draw, recoverable draw, grid payouts, bonuses and additional incentives are earned. In addition, incentive compensation is not earned and eligibility for the bonus/Loan will not be met unless all conditions of the General Incentive Plan Provisions as stated in the current "Provisions for All Plan Participants" document are satisfied.

Trade Errors:

Your incentive compensation will reflect negative adjustments for trade errors losses for the month in which the loss occurs. Trade errors include, but are not limited to all cancels and re-bills resulting from an incorrect trade placed by you or a Sales Assistant assisting you in a client's account. To request a reversal of the negative adjustment, detailed documentation, including a concise explanation on the Chargeback Review Form must be submitted by the Regional Sales Manager for review, approval and forwarding to the Appeals Committee for review and resolution. The Sales Professional is responsible for starting this process and providing necessary detailed documentation.

Benefits:

You will be eligible for general employee benefits, including health insurance, at the beginning of the month following one full month of service. It is imperative that you call the Employee Service Center at 1-877-HR-WELLS (1-877-479-3557) (press option 2, then **) to request your benefit information and enrollment forms. Your enrollment period for benefits is June 15, 2006 through July 14, 2006 with an effective date of coverage of August 1, 2006. Failure to enroll in benefits within the specified time period will be considered the same as waiving benefits.

This offer of employment at WFI is contingent upon your ability to provide on or before the first day of employment, documentation that verifies your identification and eligibility to work in the United States, as outlined by the Immigration Reform and Control Act (IRCA) of 1986. Acceptable documents are outlined in the enclosed IRCA forms. Employment cannot begin until you have presented these documents.)

As a federally insured institution, Wells Fargo Bank, N.A. is unable to employ individuals who have been convicted of a crime of dishonesty or breach of trust, or any person who does not meet our bond requirements. Therefore, our offer of employment is contingent upon the results of your background investigation.

As we discussed, the Series 7, 66 (or equivalent registrations) and California Life Agent Insurance licenses are job requirements of the Financial Consultant position. As a condition of your employment, you must obtain any missing license(s) within 90 days of your hire date, September 13, 2006. This offer is contingent upon satisfactory background and CRD clearance. Please contact Cynthia Zamboukos in the Compliance Department immediately at (415) 396-2254 for information on review courses and tests. For insurance licensing questions call Michelle Corbani at (415) 396-0715.

Investment and Insurance Products:

- ▶ Are NOT Insured by the FDIC or any other federal government agency
- ▶ Are NOT deposits of or guaranteed by the Bank or any Bank affiliate
- ▶ May Lose Value

Financial consultants are registered representatives of Wells Fargo Investments, LLC (member SIPC), a non-bank affiliate of Wells Fargo & Company.

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